

To: Attached Participant List

From: Carolyn Berning, Staff Liaison  
Consumer Services Division

Date: September 13, 2002

Re: 83 Ill. Administrative Code Part 755, Telecommunications Access for Person  
with Disabilities  
83 Ill. Administrative Code Part 756, Telecommunications Relay Services

The Illinois Commerce Commission (ICC) is in the process of revising these two Administrative Code parts. An Interested Parties Workshop has been scheduled for September 19, 2002 at 10:00 a.m. at the offices of the Illinois Commerce Commission, 527 E. Capitol, Springfield. If you are unable to attend the meeting but would like to discuss any of the proposed changes, please feel free to contact me at 217-524-5050 (V), 217-524-5047 (TTY), or [cberning@icc.state.il.us](mailto:cberning@icc.state.il.us) (e-mail).

Generally speaking the purpose of the revisions is to bring the rules up to date and to add some flexibility while keeping the rule in line with State and Federal rules and legislation. The proposed changes have been made in "legislative style", i.e., the new language is underlined and the language to be deleted is crossed out. In both rules we have made many "housekeeping" changes to use the correct and updated terminology.

### Part 755

Part 755 implements a program that distributes equipment that allows persons with hearing, speech and sight disabilities to access the telephone network. To respond to the effects of rapidly changing technology and to gain some flexibility we are proposing to delete the references to specific equipment sets and instead require ITAC's tariff (which is approved by the Commission) to include the equipment specifications. In addition, proposed changes to Part 755 would permit ITAC to offer a voucher program instead of, or in addition to, its distribution program.

A more complete list of the proposed changes for Part 755 can be found in Attachment A.

## Part 756

Part 756 implements the Telecommunications Relay Service. The proposed changes to this rule largely result from changes made to the rules of the Federal Communications Commission (FCC).

A more complete list of the proposed changes for Part 756 can be found in Attachment B.

## Process

Our goal is to get as much agreement on the language in the rule as possible before the proposed rules are presented to the Commission (ICC) to initiate the rulemaking process. Once the rules are presented to the Commission, we anticipate that the proceeding will be expeditious so that the new rules may be implemented as soon as possible.

Please feel free to circulate this information to others and they are welcome to attend the workshop. I can also provide this packet of information via e-mail. Sheila Chapman, Marilyn Corlett and Lyn Grooms will be available to help with accessibility needs.

Please feel free to contact me at 217-524-5050 (V), 217-524-5047 (TTY), or [cberning@icc.state.il.us](mailto:cberning@icc.state.il.us) (e-mail).

Illinois Commerce Commission  
Attachment A – Proposed changes to 83 Ill. Adm. Code 755  
Interested Parties Workshop, September 19, 2002

Following is a list of the major changes that have been proposed in the draft dated 9/12/02.

- 1) The amendments to Part 755 allow more flexibility in the equipment that ITAC may distribute. This flexibility is needed because equipment on the market is constantly updated and improved, and technical specifications for equipment set forth in the rule have therefore become obsolete. In addition, new technologies are continually being developed that could benefit some persons with disabilities, but that were not contemplated when the rule was drafted. In order to allow additional flexibility in selecting products to distribute, we are proposing to eliminate the detailed product specifications. Instead, ITAC would include in its tariffs the specifications for the products it plans to distribute and the eligibility requirements for receipt of each type of equipment. The Commission must approve such tariffs. The revisions also include the criteria to be used by ITAC in determining what equipment to offer. [See 755.10, 755.120, 755.125 and 755.126]
- 2) Several of the definitions have been updated and/or clarified. The definition of "Subscriber line" has been revised to clarify that it refers only to voice grade service. [See 755.10]
- 3) The proposed revisions to Part 755 also permit ITAC to offer a voucher program without the need for a further rulemaking proceeding. If, at some point in the future, after consultation with the ITAP Advisory Council and the Staff Liaison, ITAC concludes that a voucher program would better serve the disability community, ITAC could implement such a program through a tariff filing, which would be subject to Commission approval. [See 755.100]
- 4) The proposed revisions would also permit ITAC to obtain a limited amount of equipment for use on a trial basis without filing a tariff. [See 755.135 (a)(3)]
- 5) The proposed revisions update certain operating procedures. For example, because the ITAC database uses social security numbers (SSN), the rule provides that recipients be asked to provide ITAC with their SSN. In addition, the proposed rule updates the carrier reimbursement policies, and requires the recipient of an equipment set that is lost, stolen, or damaged to forward a police, fire or insurance adjustor's report to ITAC. Provisions for certification of eligibility have also been updated, and the amendments give ITAC the right to bill the recipient for lost, destroyed or damaged equipment and to without further participation in the equipment programs until payment is made. [See 755.115 and 755.310]

- 6) The manner in which the Advisory Council is elected has been revised somewhat. Rather than defining the district boundaries by using the Market Service Areas (MSAs), we are proposing to use county boundaries that closely relate to the previously used MSAs. Also the election process has been slightly broadened to include local chapters of appropriate organizations that serve people who are deaf, hard of hearing or speech disabled. [See 755.405]
- 7) The proposed revisions would clarify that ITAC is responsible for organizing the biannual meetings of the Advisory Council and for the costs associated with the meetings. [See 755.415]
- 8) References to "LEC" or "Local Exchange Carrier" have been changed to "telecommunications carrier." Also in many sections the responsibilities of the LEC or telecommunications carrier has been ascribed to "ITAC on behalf of the carriers."

Illinois Commerce Commission  
Attachment B – Proposed changes to 83 Ill. Adm. Code 756  
Interested Parties Workshop, September 19, 2002

Following is a list of the major changes that have been proposed in the draft dated 9/12/02.

- 1) The provisions of Part 756 that discuss the creation of an "Extended Message Record" ("EMR") by the relay provider, the forwarding of EMRs to the carriers, and customer billing by local exchange carriers based on the EMR have been updated because only one relay provider can meet the current requirements. ITAC currently has a waiver of the EMR requirements of Part 756. In place of these requirements, the amendments to Part 756 would require the relay vendor to provide ITAC with a credit in the amount the vendor bills to relay users for intrastate toll calls carried by the vendor. [See 756.220 and 756.225]
- 2) Language has been added to formalize the manner in which proposed amendments to the TRS contract are presented to the Commission. [See 756.120]
- 3) The FCC has made several changes to its rules since Illinois' rules have been revised. We have incorporated these changes throughout the rule. Most notably by adding to the list of TRS components [756.100], revising the service specifications [756.205], revising the Communications Assistant standards [756.210] and reporting requirements of the ICC [756.300].
- 4) References to "LEC" or "Local Exchange Carrier" have been changed to "telecommunications carrier." Also in many section the responsibilities of the LEC or telecommunications carrier has been ascribed to "ITAC acting on behalf of the carriers."